

ADVISORY OPINION 98-006

Any advisory opinion rendered by the Registry under subsections (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is rendered. KRS 121.135(4).

May 22, 1998

Mr. Will L. McGinnis, III
Clean Touch Services, Inc.
P. O. Box 22015
1807 Barwick Drive
Lexington, Kentucky 40522
FAX (606) 293-5245

Dear Mr. McGinnis:

This is in response to your May 12, 1998, request for an advisory opinion regarding whether you may deposit cash or a check from your corporate account into your campaign account. Your letter explains that you are the sole owner of Clean Touch Services, Inc., an S-Corporation. The Secretary of State shows that your company is a Kentucky corporation in good standing.

Your corporation may not contribute to your campaign. Corporate contributions are strictly prohibited by KRS 121.025 and KRS 121.150(21). KRS 121.150(21) provides that no candidate shall knowingly accept a contribution from a corporation, directly or indirectly. While a candidate may contribute to his campaign from personal funds, such a contribution may not be paid from the candidate's corporate account, regardless of whether he is the sole owner of a corporation.

Further, you may not deposit cash in excess of (\$50) into your campaign account. KRS 121.150(4) requires that contributions in excess of fifty dollars (\$50) must be made by check or other instrument which clearly identifies both the payor and payee.

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You may contribute to your campaign by check drawn against a personal account or from personal funds transferred by an instrument which clearly identifies your campaign as the payor and you, personally, as the payee. However, the means of transfer proposed by your letter would constitute a violation of Kentucky campaign finance law.

Sincerely,

Rosemary F. Center
General Counsel

RFC/db